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*Attorneys for Plaintiff*  
*Strike 3 Holdings, LLC*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

STRIKE 3 HOLDINGS, LLC,  
  
Plaintiff,

vs.

JOHN DOE subscriber assigned IP address  
108.224.80.148,  
  
Defendant.

Case Number: 3:17-cv-07051-LB

Honorable Laurel Beeler

**PLAINTIFF'S *EX-PARTE* APPLICATION  
FOR EXTENSION OF TIME WITHIN  
WHICH TO EFFECTUATE SERVICE  
ON JOHN DOE DEFENDANT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Strike 3 Holdings, LLC ("Plaintiff"), makes this *ex-parte* application for entry of an order extending the time within which to effectuate service on John Doe Defendant, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's true identity is known by their Internet service provider ("ISP").

2. On January 10, 2018, Plaintiff was granted leave to serve a third party subpoena on Defendant's ISP to obtain the Defendant's identifying information [CM/ECF 8]. Plaintiff

1 issued the subpoena on or about January 24, 2018 and expects to receive the ISP's response on  
2 or about April 4, 2018.

3 3. Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service  
4 on the Defendant no later than March 11, 2018. Because the ISP is not expected to respond  
5 until April 4, 2018 and Defendant's identity currently remains unknown to Plaintiff, Plaintiff is  
6 unable to comply with the current service deadline.

7 4. Procedurally, Plaintiff respectfully requests that the time within which it has to  
8 effect service of the summons and Complaint on Defendant be extended an additional sixty (60)  
9 days from April 4, 2018 (the date Plaintiff expects to receive the ISP response) and thus the  
10 deadline to effect service be extended to June 3, 2018.

11 5. This application is made in good faith and not for the purpose of undue delay.

12 6. This is Plaintiff's first request for an extension. None of the parties will be  
13 prejudiced by the granting of this extension.

14 WHEREFORE, Plaintiff respectfully requests that the time within which it has to  
15 effectuate service of the summons and Complaint on Defendant be extended until June 3, 2018.  
16 A proposed order is attached for the Court's convenience.

17 Dated: March 9, 2018

Respectfully submitted,

19 By: /s/ Lincoln D. Bandlow  
20 Lincoln D. Bandlow, Esq.  
21 FOX ROTHSCHILD LLP  
22 Attorney for Plaintiff  
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